

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24030 of 2016

Arising Out of PS.Case No. -39 Year- 2015 Thana -PARBATTa District- BHAGALPUR

=====

Rohit Das @ Rohit Kumar Das, Son of Umesh Das Resident of village -
Nanhkar, P.S. Parbatta, District - Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party : Mr. Suresh Prasad Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 16-06-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 352, 341, 354(B), 504 and 506 of the Indian Penal Code.

The allegation against the petitioner is that he entered into the house of the informant and slept beside her and pressed her breast with intention to commit rape, in the meantime, her husband came there then the petitioner fled away.

Learned counsel for the petitioner submits that all the offences mentioned in the First Information Report are bailable, except Section 354(B) of the Indian Penal Code, which is not made out against the petitioner. It is further submitted that the

allegation against the petitioner is general and omnibus in nature.

Although, the offences mentioned in the F.I.R. are bailable except Section 354(B) of the Indian Penal Code, however, the allegation itself does not make out offence under Section 354(B) of the Indian Penal Code.

Having regard to the facts and circumstances of the case and nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the trial Court within a period of four weeks from today and prays for regular bail, the same will be considered by the trial court on its own merit in accordance with law without being prejudiced by this order.

(Gopal Prasad, J.)

Rajiv/Amit

U		T	
---	--	---	--